

**FILED**

FEB - 8 2011

FEB 8 2011  
MICHAEL W. DOBBINS

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

IN RE: AT&T MOBILITY WIRELESS  
DATA SERVICES SALES TAX  
LITIGATION

Case No. 1:10-cv-02278  
Judge Amy J. St. Eve

This document relates to all actions

To The Honorable District Judge:

Comes Paige Nash ("Objector"), and files these Objections to the Proposed Settlement, Objection to Class Notification, Objection to Attorneys' Fees, Notice of Intent to Appear and Request to Speak at the Hearing, and would show as follows:

Objector Paige Nash resides at 4134 Hawthorne Ave., Dallas, Texas 75219 and received postcard notice. Nash had AT&T Mobility services and was charged state and local taxes.

2. Nash complains of the notice afforded class members in this case since, by definition, all class members contact information is known to the litigants. All of the class is entitled to personal notice. To do otherwise, is a violation of the notice requirements of Fed. R. Civ. P. 23, due process rights and is contra to the decisions in *Mullane v. Central Hanover Bank and Trust Co.* (1950) and *Eisen v. Carlisle and Jacquelin* (1974).

3. Objection is made to any fee award in this case until and unless the class has a meaningful opportunity to review the fee motion in a timely fashion prior to any deadline

1 to object. As this case is now scheduled, the fee petition will be filed after the objection  
2 deadline. This sequence of events violates due process, the express terms of Fed. R. Civ.  
3 P. 23(h) and the decision in *In Re: Mercury Interactive Corp. Securities Litigation*, 618  
4 F.3d 989 (9<sup>th</sup> Cir. 2010).

5 4. This is a sorry settlement that displaces the burden for failure to collect a refund on  
6 the class. The burden rightfully falls on AT&T since they are the ones who wrongfully  
7 paid the fees. They are the ones responsible for the damage done. Also, the attorneys are  
8 collecting double fees. Any discussion on attorney fees should not be made until after the  
9 amount collected is known. Right now there is no basis upon which to support an award  
10 of attorney fees.

11 5. This objector hereby incorporates all objections made in this litigation by others.  
12 Objector Nash requests the court to (a) reschedule the objection deadline until after the  
13 fee motion is filed and reschedule the fairness hearing until a time that will allow the  
14 class to review the fee request and make an intelligent reasoned decision as to whether or  
15 not to object, and (b) require personal notice to the entire class to allow them their  
16 required due process and for such relief as to the court seems proper.

17  
18 /s/Michael Brooks

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**Certificate of Service**

I hereby certify that a copy of the above and foregoing document has been served upon the following by ECF on February 2, 2011 and by mail to the following:

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